

REMARKS

The Office action mailed on 22 May 2003 (Paper No. 5) has been carefully considered.

The specification is being amended to correct minor errors and improve form. Claims 2 and 7 are being canceled without prejudice or disclaimer, claims 1, 3 thru 6, 8 thru 14 and 16 are being amended, and new claims 17 thru 22 are being added. Thus, claims 1, 3 thru 6 and 8 thru 22 are pending in the application.

On page 2 of the Office action, the Examiner objected to the drawings because 1) reference numeral "100" has been used to designate both partitions and the plasma display panel, and 2) the blue phosphors being arranged in a triangular shape is not shown. The specification and Figure 5 are being amended to identify the plasma display panel of Figure 5 by reference numeral 40', thereby eliminating conflict with partitions 100 of Figures 2 and 3.

With respect to the arrangement of the blue phosphors "in a triangular shape", Figure 3 shows the phosphors arranged in a triangular arrangement or pattern. For example, green phosphor 101G and red phosphor 101R are arranged in a first direction (upper left to lower right) in Figure 3, while blue phosphor 101B is disposed in a second direction relative to the green and red phosphors 101G and 101R, respectively, the second

direction extending from upper right to lower left in Figure 3, and thus the second direction is perpendicular to the first direction. Accordingly,, the three phosphors are arranged in a triangular configuration, with the green and red phosphors 101G and 101R, respectively, forming the base of the triangle and the blue phosphor 101B being located at the apex of the triangle.

On page 2 of the Office action, the Examiner objected to the specification for informalities. Specifically, the Examiner required deletion of "Claim of Priority" portion from the specification (lines 3-7 on page 1 of the specification), but did not offer any authority for removing the "Claim of Priority" portion, or any explanation as to why that portion needs to be deleted.

Applicant respectfully traverses the Examiner's requirement to remove "Claim of Priority" section from the specification. First, it is noted that the present application was filed in the U.S. Patent & Trademark Office on 25 February 2002, based upon a Korean priority application Serial No. 12890/2001 filed in the Korean Industrial Property Office on the 13th of March 2001. Pursuant to U.S.C. §119, Applicant of the present application is entitled to claim the benefit of foreign priority based on Korean priority application Serial No. 12890/2001 filed on 13 March 2003.

In this regard, the Examiner's attention is directed to 37 C.F.R. §1.55(a) which

states that:

“An applicant in a non-provisional application may claim the benefit of the filing date of one or more prior foreign applications under the conditions specified in 35 U.S.C. 119(a) through (d) and (f), 172, and 365(a) and (b).”

Also, §201.14(b) of *Manual of Patent Examining Procedure* (MPEP) states that:

“For all applications, the claim to priority need be in no special form, and may be made by a person authorized to sign correspondence under 37 CFR1.33(b). No special language is required in making the claim for priority, and any expression which can be reasonably interpreted as claiming the benefit of the foreign application is accepted as the claim for priority.”

In this case, the “Claim of Priority” portion of the specification (lines 3-7 on page 1 of the specification) identifies “the foreign application for which priority is claimed by specifying the application number, country (or intellectual property authority), day, month, and year of its filing” (MPEP §201.14(b)).

Furthermore, the MPEP expressly requires that, where appropriate, the first section of the application contain a reference to a related application, such as a parent of a continuation or continuation-in-part application (*see* MPEP §601 and 37 C.F.R. §1.78(a)(iv)(2)). In this case, the Korean priority application is clearly a “related application” since priority is being claimed on the basis of the Korean application. Thus, it is entirely appropriate, and even required by the MPEP, that the reference to the related priority application be included in the first paragraph or first section of this application.

Finally, the undersigned attorney typically files hundreds of Korean-origin applications in the U.S. Patent & Trademark Office each year. All (or virtually all) of the U.S. application claim priority from Korean applications and thus contain a first paragraph relating to the priority claim. Prior to this, no U.S. Examiner has objected to the first paragraph of such applications, and invariably the applications issue as U.S. patents with the first paragraph reciting the priority claim intact.

In view of the above, withdrawal of the Examiner's requirement to delete the "Claim of Priority" portion from the specification (lines 3-7 on page 1 of the specification) is respectfully requested.

On pages 3-4 of the Office action, the Examiner objected to claims 1 thru 4, 7, 10, 11 and 13 because of the informalities kindly pointed out by the Examiner.

With respect to claim 1, lines 4 and 5, the Examiner's suggestions are being implemented. With respect to claim 1, line 8, the recitation of the "triangular shape" of the arrangement of phosphors has been deleted from claim 1, but is included in new dependent claim 17. As to interpretation of the recitation now contained in claim 17, see the above discussion, relating to the objection to the drawings, for an explanation of the triangular arrangement of the phosphors.

With respect to claims 2, 7, 10 and 13, those claims are being amended to replace "thickness" with "width" consistent with the terminology in the specification and the Examiner's suggestion.

With respect to claims 4 and 11, the Examiner's comments are correct. Accordingly, claims 4 and 11 are being amended to recite that the first partitions each include recessed portions and non-recessed portions located at opposite ends of each recessed portion. This should eliminate any potential confusion in the claim terminology.

Based on the above, the objections to claims 1 thru 4, 7, 10, 11 and 13 should no longer apply.

On page 4 of the Office action, the Examiner rejected claim 1 for alleged anticipation by Betsui *et al.*, U.S. Patent No. 5,825,128. On page 5 of the Office action, the Examiner rejected claim 3 under 35 U.S.C. §103 for alleged unpatentability over Betsui *et al.* '128 in view of Shiiki *et al.*, U.S. Patent No. 6,411,032. However, on page 6 of the Office action, the Examiner merely objected to claim 2 for dependency upon a rejected base claim, but stated that this claim would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Finally, the Examiner stated that claims 4 thru 16 would be allowed if all objections (discussed above) are eliminated.

Independent claim 1 is being amended to include the recitations from allowable dependent claim 2, which is being canceled. As discussed above, the claims are being amended to comply with and eliminate the objections raised by the Examiner. Therefore, claims 1, 3 thru 6 and 8 thru 17 should now be in condition for allowance.

Finally, new independent claims 18 and 20 are being added to provide complete protection of the invention. New independent claim 18 is based on the disclosure of the plasma display panel (PDP) set forth in Figures 2-4 and discussed in paragraph [0027] of the specification (*see* page 8, lines 15-17 in particular). New independent claim 20 is based on the disclosure of the plate and the PDP set forth in Figures 2-4 and also discussed in paragraph [0027] of the specification (*see* page 8, lines 17-20 in particular).

The plate and PDP recited in claims 18 thru 22 are not disclosed or suggested in the prior art cited by the Examiner. Therefore, allowance of these claims is requested.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

A fee of \$168.00 is incurred by the addition of two (2) independent claims in excess of total 3. Applicant's check drawn to the order of Commissioner accompanies this Amendment. Should the check become lost, be deficient in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

A petition for a one month extension of time and an Applicant's check in the amount of \$110.00 drawn to the order of Commissioner accompanies this response. Should the petition become lost, the Commissioner is requested to treat this paragraph as a petition for an extension of time, and should the check become lost, be deficient in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

Respectfully submitted,



Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

Folio: P56649
Date: 9/22/03
I.D.: REB/JGS